IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.35280 of 1998

Dated: 5th July, 2006

Between:

D.Sarveswara Rao

.. Petitioner

and

A.P. State Agro Industries Development
Corporation Ltd., A.C.Guards, Hyderabad,
Rep. by its Vice Chairman and Managing Director.

.. Respondent

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.35280 of 1998

ORDER:

This writ petition is filed seeking a Mandamus declaring the proceedings No.Pers/AM(P)/12943/83 dated 21.11.1998 issued by first respondent as illegal, arbitrary and violative of principles of natural justice and consequently to set aside the same.

The complaint of the petitioner is that the respondents having granted 10 years special grade scale under automatic advancement

scheme and 15 years special temporary promotion post Scale-I, through the impugned order dated 21.11.1998 sought to recover certain amounts stating that earlier fixation of 10 years benefit under automatic advancement scheme from 1.4.1981 is withdrawn and the petitioner is not entitled for 15 years benefit for want of qualification and also the 22 years automatic advancement scheme benefits for want of applicability of the scheme.

The impugned order does not disclose that any notice or opportunity given to the petitioner before passing such an order. Therefore, I am of the view that the impugned order is passed in gross violation of principles of natural justice affecting the rights of the petitioner. Therefore, the same is liable to be set aside and accordingly set aside. The respondents are directed to pass appropriate orders, as per law, only after putting the petitioner on notice and hearing him personally in this regard.

The writ petition is allowed to the extent indicated above. No order as to costs.

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C.V.RAMULU, J

Date: 5.7.2006

DA

THE HON'BLE SRI JUSTICE C.V.RAMULU

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5.7.2006